IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 56 OF 2007

Vishnu Tukaram Rane ..Petitioner

Versus

State of Maharashtra and others ...Respondents

Mr. A. Khandeparkar, instructed by M/s. Khandeparkar and Associates, for the petitioner.
Mr. V. P. Malvankar, Assistant Government Pleader, for respondent No.1.

CORAM: **H.S. BEDI, C.J.,** &
V.M. KANADE, J.

DATE: **JANUARY 08, 2007**.

P.C.

We find that disputed questions of fact have been raised in the petition and that the proper remedy for the petitioner would, therefore, be to approach the Civil Court. We accordingly permit the petitioner to withdraw the writ petition with liberty to move the Civil Court. Writ Petition is dismissed as withdrawn. We make it clear that we have not gone to the issue raised in the petition on merits.

CHIEF JUSTICE

V.M. KANADE, J.